

# SUBMITTAL CHECKLIST

*Applications must include the items on this checklist, and the checklist, to be complete*

This submittal checklist and application is for formal requests to change the comprehensive plan or development regulations pursuant to state law (RCW [36.70A.470](#)) and Everett Planning Director Interpretation 2023-01.

For questions, or to submit an application, contact Karen Stewart at [kstewart@everettwa.gov](mailto:kstewart@everettwa.gov).

For all amendments	
<input type="checkbox"/> 1. Meeting with Planning Staff	A pre-application meeting is required with <a href="#">Planning</a> staff (Long Range Division) prior to submitting this application. To schedule a meeting contact Karen Stewart at (425) 257-7186 or <a href="mailto:kstewart@everettwa.gov">kstewart@everettwa.gov</a> .
<input type="checkbox"/> 2. Applicant name and address	Mary Cunningham 1605 Oakes Ave. Everett, WA 98201
<input type="checkbox"/> 3. Other contacts (if applicable)	
<input type="checkbox"/> 3. Amendment category	Highlight all that would require amendment as part of the proposal: <ul style="list-style-type: none"><li>○ Comprehensive plan – <a href="#">text, goals, objectives, policies</a></li><li>○ Comprehensive plan – <a href="#">land use map</a></li><li>○ <a href="#">Development regulations – Title 19 EMC</a></li><li>○ Development regulations – <a href="#">Zoning map</a></li><li>○ Development regulations – <a href="#">Maximum building height map</a></li><li>○ Development regulations – <a href="#">Street designation map</a></li></ul>
<input type="checkbox"/> 4. Narrative Statement and criteria	Written statement describing the exact request, the reason for the request, and how the request meets applicable criteria. <b>Use Attachment A.</b>
<input type="checkbox"/> 5. Environmental Checklist	Submit <b>one</b> completed and signed copy of the SEPA Environmental Checklist and Optional Worksheet for Non-Project Review, available on Ecology's website: <a href="https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-document-templates">https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-document-templates</a>
For site-specific amendments	
<input type="checkbox"/> A. Map of Site (for location-specific amendments)	For location-specific amendments, a map clearly showing the area the request would apply to.
<input type="checkbox"/> B. Property owner name(s) and address(es)	N/A
Signature	
<input type="checkbox"/> Applicant signature	Mary Cunningham

# Attachment A

## Narrative Statement and Evaluation Criteria

All applications must be accompanied by a narrative statement describing how the proposal is consistent with the following applicable criteria. Staff can only recommend that a proposal advance if it meets the applicable criteria.

Description of the exact request	<p>The request is to amend EMC 19.34.110.B. and EMC 13.16.050.F to prohibit driveway access from the street on alley lots when access is existing or feasible from the alley, and/or when a previous or current property owner has constructed improvements that preclude future driveway access from the alley and proposed parking is not required by Title 19.</p> <p><b>Chapter 19.34 PARKING, LOADING AND ACCESS REQUIREMENTS</b></p> <p><b>19.34.110 Vehicular access to off-street parking—Alleys and driveways.</b></p> <p>A. Alleys. Access to off-street parking areas shall be provided from the alley where available. The intent of this requirement is to:</p> <ol style="list-style-type: none"><li>1. Enhance the safety of parking areas;</li><li>2. Minimize potential conflicts between vehicles and pedestrians;</li><li>3. Efficiently manage traffic in off-street parking areas;</li><li>4. Reduce visual impacts on surrounding properties and improve streetscape appearance.</li></ol> <p>B. Alley Access Exception. Access from the public street where the lot abuts an alley will only be allowed as an exception to the alley access requirement. The city engineer, in consultation with the planning director, may allow access from the street in lieu of, or in addition to, using the alley in the following circumstances:</p> <ol style="list-style-type: none"><li>1. The topography of the site and/or adjacent alley makes use of the alley infeasible; or</li><li>2. The requirement for access from the alley would create a traffic or pedestrian safety hazard, such as sight distance problems or conflicts with other ingress/egress locations; or</li><li>3. There is an existing improvement that prevents use of the alley for vehicular access <u>and the improvement cannot reasonably be relocated or removed</u>; or</li><li>4. For nonresidential or mixed uses, driveway access from the street is necessary to provide access for commercial customer traffic; this exception may not be used to justify a street access point that primarily provides access to employee or resident parking areas; or</li><li>5. Providing access from the street will reduce or minimize adverse impacts on adjacent properties, <u>not including provision of parking in excess of that required by Title 19</u>; or</li></ol>
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	<p>6. Street access for multiple levels of off-street parking within a structure <u>for large residential and commercial uses</u> when access from an alley to all parking levels is not feasible.</p> <p><u>Provided, however, in no case shall access from the street be permitted when</u></p> <ul style="list-style-type: none"> <li>a. <u>Existing and proposed parking on the site with access from the alley meets the number of parking stalls required by the City codes in effect at time of development; and/or</u></li> <li>b. <u>Existing improvements that preclude access from the alley were constructed by the current or any previous property owner (such as construction of an accessory dwelling unit along the alley).</u></li> </ul> <p><b>Chapter 13.16 DRIVEWAYS</b></p> <p><b>13.16.050 Prohibited locations.</b></p> <p>Driveways shall be located as follows: .....</p> <p>F. <u>No permit for a driveway approach shall be granted where reasonable egress and ingress, for the purpose for which the property is used, exists or can be secured from the alley. Access from the public street where the lot abuts an alley will only be allowed as an exception to using the alley for access. Pursuant to Chapter 19.34, the city engineer, in consultation with the planning director, may allow access from the street in lieu of, or in addition to, using the alley;</u></p>
Reason for the request	<p>Much of North Everett has a grid street system consisting of primary streets and alleys. Historically lots with alleys have been required to take vehicular access from alleys, with exceptions for safety concerns or topographical constraints. (There are some areas with driveways from the street that were approved prior to city adoption of standards that address access.) These requirements have helped create a walkable community and a character that makes this a desirable place to live. While alley lots provide many advantages, over time subdivisions moved away from providing alleys as they reduce lot yields.</p> <p>Concentrating parking and refuse collection on alleys reduces conflicts between pedestrians and cars and makes sidewalks safer for pedestrians and for children to run and play. Eliminating curb cuts and the associated slants across sidewalks also makes it easier/more comfortable for people to walk side-by-side on the sidewalk, and for strollers, wheelchairs, etc. to maneuver.</p> <p>Eliminating driveways from the street preserves shared on-street parking for the benefit of the community, including neighborhood residents and guests, as well as delivery vehicles.</p> <p>Eliminating driveways from the street also provides more opportunities for planting large street trees and other vegetation in excess right-of-way and front yards. This creates shading along the streets, as well as a desirable community character. Providing opportunities for planting of larger trees is important in reducing the impacts of climate change by reducing heat islands in dense urban areas and by storing carbon. Front yards and excess right-of-ways will likely become the largest areas available in North Everett for tree plantings as lot coverages are expected to increase over time with the addition of accessory dwelling units, middle housing, and other higher density residential uses.</p>

In 2018, the City modified EMC 19.34.110 and 13.16.050 to make it easier for a development to obtain access from the street in lieu of or in addition to access from the alley. For example, in 2010, the City denied a permit for 1617 Oakes Avenue to have a driveway access from Oakes Avenue, since the property already had parking off the alley that had been used for many years. But in 2022 the City issued permits that allowed 1617 Oakes Avenue to add an additional driveway access from Oakes Avenue to a proposed garage on the property. Notably, even though EMC 19.34.110 and 13.16.050 require consultation between the planning director and the city engineer before allowing access from the street, consultation did not occur, and Planning did not sign off on the permit. Traffic engineering staff said that the property owner “had the right to build a garage” so they gave them access from the street. However, I don’t see anything in the code that distinguishes between just providing a driveway that people can park on versus having a driveway that connects to a garage. In either case parking is permitted in the entire driveway, except in the sidewalk. The driveway from the street is the only one in the 1600 block of Oakes, and it detracts from the neighborhood character. Unless the code is changed, this access becomes precedent for any property owner that desires a driveway from the street in addition to or in lieu of alley access.

In addition to the residence on the front of the 1617 Oakes lot, the property includes two nonconforming residential uses constructed up to the edge of the alley that precluded construction of a garage along the alley.<sup>1</sup> The alley residences are similar to what could be constructed as accessory dwelling units or middle housing under new state requirements.

Under existing codes and new state requirements, parking requirements for some residential uses have or will be eliminated or reduced. Though developers will have the option to provide parking, even when not required, I assume that most developers will not build parking that is not required. I expect that many accessory dwelling units and middle housing units with no required parking will be constructed along the edge of alleys or in areas that preclude future alley access to parking. As residential densities increase over time, on-street parking is expected to become more difficult to find and property owners may decide they want to retroactively add on-site parking to their development.

The proposed code amendments would prevent construction of driveway access from the street on alley lots when the additional parking is not required, and/or when the improvements that prevent alley access to parking were constructed by the current or previous property owners. (Other improvements, such as those constructed by utilities that block access from the alley would not be affected by the proposal.) Exceptions would remain in effect for

- properties with topographical differences between the alley and the lot that preclude access from the alley,
- lots with safety issues that preclude access from the alley, and
- lots with structures that include parking on multiple levels that requires access from the alley and the street (such as for large multiple family and commercial developments).

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<sup>1</sup> A condominium agreement that divided the three units on the lot into three ownerships documented that the driveway and parking off the alley were for the exclusive use of the front unit. The owners of the front unit were also the applicants for the garage and additional parking in the driveway in the front yard.



Clearly and completely address the factors below for each amendment category selected in question 3	
Comprehensive plan – text, goals, objectives, policies  N/A	<p>EMC 15.03.400(E) The following factors shall be considered in reviewing proposed amendments to comprehensive plan policies.</p> <ol style="list-style-type: none"> <li>1. Have circumstances related to the subject policy changed sufficiently since the adoption of the plan to justify a change to the subject policy? If so, the circumstances that have changed should be described in detail to support the proposed amendment to the policy.  <i>[Insert comments here]</i></li> <li>2. Are the assumptions upon which the policy is based erroneous, or is new information available that was not considered at the time the plan was adopted, that justify a change to the policy? If so, the erroneous assumptions or new information should be described in detail to support the proposed policy amendment.  <i>[Insert comments here]</i></li> <li>3. Does the proposed change in policy promote a more desirable growth pattern for the community as a whole? The manner in which the proposed policy change promotes a more desirable growth pattern should be described in detail.  <i>[Insert comments here]</i></li> <li>4. Is the proposed policy change consistent with other existing plan policies, or does it conflict with other plan policies? The extent to which the proposed policy change is consistent with or conflicts with other existing policies should be explained in detail.  <i>[Insert comments here]</i></li> </ol>
Comprehensive plan – land use map  N/A	<p>EMC 15.03.400(D) The following factors shall be considered in reviewing requests to amend the comprehensive plan land use map.</p> <ol style="list-style-type: none"> <li>1. The proposed land use designation must be supported by or consistent with the existing policies of the various elements of the comprehensive plan.  <i>[Insert comments here]</i></li> <li>2. Have circumstances related to the subject property and the area in which it is located changed sufficiently since the adoption of the land use element to justify a change to the land use designation? If so, the circumstances that have changed should be described in detail to support findings that a different land use designation is appropriate.  <i>[Insert comments here]</i></li> <li>3. Are the assumptions upon which the land use designation of the subject property is based erroneous, or is new information available which was not considered at the time the land use element was adopted, that justify a change to the land use designation? If so, the erroneous assumptions or new information should be described in detail to enable the planning commission and city council to find that the land use designation should be changed.  <i>[Insert comments here]</i></li> <li>4. Does the proposed land use designation promote a more desirable land use pattern for the community as a whole? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the planning commission and city council to find that the proposed land use designation is in the community's best interest.  <i>[Insert comments here]</i></li> <li>5. Should the proposed land use designation be applied to other properties in the vicinity? If so,</li> </ol>

	<p>the reasons supporting the change of several properties should be described in detail. If not, the reasons for changing the land use designation of a single site, as requested by the proponent, should be provided in sufficient detail to enable the planning commission and city council to find that approval as requested does not constitute a grant of special privilege to the proponent or a single owner of property.</p> <p><i>[Insert comments here]</i></p> <p>6. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to assure compatibility with the uses of other properties in the vicinity?</p> <p><i>[Insert comments here]</i></p> <p>7. Would the change of the land use designation sought by the proponent create pressure to change the land use designation of other properties in the vicinity? If so, would the change of land use designation for other properties be in the best long-term interests of the community in general?</p> <p><i>[Insert comments here]</i></p>
Development regulations – Title 19 EMC	<p>EMC <b>15.03.300(C)(4)</b> The city may amend the text of the unified development code if it finds that:</p> <p>a. The proposed amendment is consistent with the applicable provisions of the Everett comprehensive plan; and</p> <p><i>The proposal is consistent with the following provisions of the Comprehensive Plan:</i></p> <p><b>Chapter 2 Transportation</b></p> <p><i>Policy 2.5 : Develop plans to manage traffic on neighborhood streets in accordance with classifications, design characteristics and other Comprehensive Plan policies.</i></p> <p><i>Policy 2.6: Design transportation facilities that reflect the character of affected neighborhoods and accommodate a range of needs of the community that are broader than strict transportation requirements without compromising those requirements.</i></p> <p><i>Policy 2.9: Continue to maintain existing on-street parking in residential neighborhoods and protect parking first for residents and second for customers and visitors.</i></p> <p><b>Chapter 4 Housing Element</b></p> <p>Policy 4.2.1: Protect existing single family neighborhoods from substantial changes such as rezoning to multiple family zones, but consider measures to increase housing capacity through strategies that accommodate well designed infill housing that protect the character of the neighborhoods.</p> <p>Objective 4.5: In order to maximize the public investment that has already been made in public infrastructure, the City shall support the compact land use strategy of the comprehensive plan with housing measures that increase the City’s residential capacity and that maintain the quality and character of existing neighborhoods.</p>



Policy 4.5.1: Update design standards for higher density housing types to protect and enhance the character of existing neighborhoods.

Policy 4.5.3: Allow attached and detached accessory dwelling units in single family neighborhoods subject to specific development, design and locational standards.

Policy 4.5.4: Encourage infill development on underutilized sites that have adequate urban services and ensure that the infill housing enhances and is compatible with the nearby neighborhood and community.

### ***Chapter 8 Urban Design & Historic Preservation***

Objective 8.1.5: To strengthen the sense of civic pride among residents by providing attractive public spaces, trees and flowers along streets, public artwork and distinctive architecture.

Objective 8.1.6: To preserve and build upon the positive, historic patterns of development that are a major part of Everett's character.

The City shall:

Policy 8.1.1: Encourage street trees, whether planted as part of a public project or as a result of private action, provided the species and locations are approved by the City.



A preferred residential streetscape.

The City shall:

Policy 8.2.1 Encourage traditional grid street and sidewalk patterns and other historic street and sidewalk patterns in historic neighborhoods.

Goal 8.3.1 Enhance the physical character and distinctive qualities of individual districts throughout the city, including residential neighborhoods.

	<p>Objective 8.3.3: To promote infill development in older, established areas of the city that will continue to maintain the character of these areas.</p> <p>b. The proposed amendment bears a substantial relation to public health, safety or welfare; and</p> <p>The proposed amendments will enhance the safety of parking areas, minimize conflicts between vehicles and pedestrians, and improve streetscape appearance. Providing parking off the alley also provides more area in front yards and excess public right-of-way to accommodate large street trees and other plantings that help to mitigate the impacts of climate change. Maintaining neighborhood character as density intensifies can enhance neighborhood desirability for infill development, as well as protect existing investments in the neighborhood.</p> <p>c. The proposed amendment promotes the best long-term interests of the Everett community</p> <p>Protecting existing streetscapes in Everett neighborhoods with alley lots will draw new investments to the area and result in increased desirability of infill development.</p>
Development regulations – <a href="#">Zoning map</a> N/A	<p>EMC <a href="#">15.03.300(B)(4)</a> The review authority may approve an application for a site-specific rezone if it finds that:</p> <p>a. The proposed rezone is consistent with the Everett comprehensive plan; and</p> <p><i>[Insert comments here]</i></p> <p>b. The proposed rezone bears a substantial relation to public health, safety or welfare; and the proposed rezone promotes the best long-term interests of the Everett community; and</p> <p><i>[Insert comments here]</i></p> <p>c. The proposed rezone mitigates any adverse impact(s) upon existing or anticipated land uses in the immediate vicinity of the subject property.</p> <p><i>[Insert comments here]</i></p> <p>d. If a comprehensive plan amendment is required in order to satisfy subsection (4)(a) of this section, approval of the comprehensive plan amendment is required prior to or concurrently with the granting of an approval on the rezone.</p> <p><i>[Insert comments here]</i></p>
Development regulations – <a href="#">Maximum building height map</a> N/A	
Development regulations – <a href="#">Street designation map</a> N/A	